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## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/763,175	Hitoshi Kiyoi	084335/0129
INTERNATIONAL APPLICATION NO.		
PCT/JP99/04450		
I.A. FILING DATE	PRIORITY DATE	
08/19/1999	08/20/1998	
<b>CONFIRMATION NO. 3517</b>		
<b>371 FORMALITIES LETTER</b>		
 *OC000000008001001*		

Date Mailed: 05/02/2002

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - **APPLICANT MUST PROVIDE:**
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov
- 
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

PAULETTE R KIDWELL

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Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/763,175	PCT/JP99/04450	084335/0129

FORM PCT/DO/EO/916 (371 Formalities Notice)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Attorney Docket No. 084335/0129**

In re patent application of

Hitoshi Kiyo et al.

Serial No. 09/763,175

Filed: May 30, 2001

For: **METHOD FOR SCREENING CANDIDATE COMPOUNDS FOR ANTITUMOR DRUG****L E T T E R**Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notification of Defective Response mailed May 2, 2002, Applicants enclose herewith a duplicate copy of the sequence listing and the date-stamped postcard showing the sequence listing was originally filed May 30, 2001.

Respectfully submitted,

June 3, 2002  
Date*for / Phillip J. Antisola*  
Stephen B. Maebius  
Registration No. 35,264Reg. No.  
38,819FOLEY & LARDNER  
3000 K Street, N.W., Suite 500  
Washington, D. C. 20007-5109  
Telephone: (202) 672-5569  
Facsimile: (202) 672-5399

Docket No. 084335-0129

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Receipt is hereby acknowledged of the following:

Applicants: Hitoshi Kiyoi et al.

Serial No.: 09/763,175

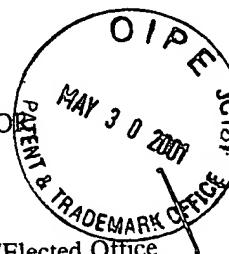
Filing Date: February 20, 2001

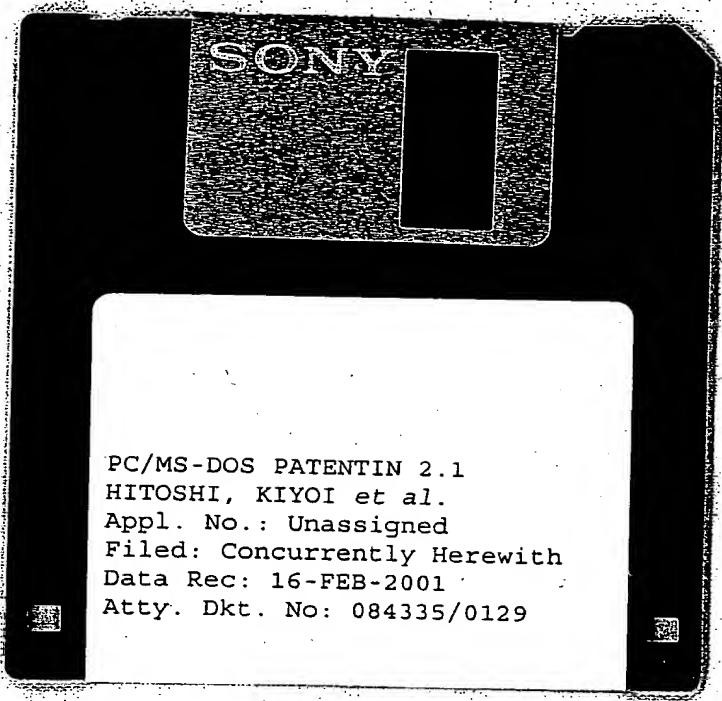
For: METHOD FOR SCREENING CANDIDATE COMPOUNDS FOR  
ANTITUMOR DRUG

1. Check No. 12303 for \$170
2. Second Submission - Transmittal Letter to the U.S. Designated/Elected Office including: Declaration and Power of Attorney; Second Preliminary Amendment; Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.835; Substitute Sequence Listing; Disk containing same; Recordation Cover Sheet for Patents Only and Assignment; Information Disclosure Statement and Form PTO-1449 with 3 references

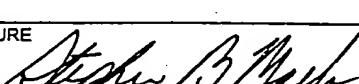
Date Due: N/A  
Date: MAY 30 2001

Return to: SBM/mkm  
Inspected by: AFM





FORM PTO-1390 (Modified) (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			084335/0129	
				U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 09/763,175
INTERNATIONAL APPLICATION NO. PCT/JP99/04450	INTERNATIONAL FILING DATE August 19, 1999		PRIORITY DATE CLAIMED August 20, 1998	
<b>TITLE OF INVENTION</b> METHOD FOR SCREENING CANDIDATE COMPOUNDS FOR ANTITUMOR DRUG				
<b>APPLICANT(S) FOR DO/EO/US</b> Hitoshi Kiyoi, Tomoki Naoe, Masayuki Towatari, Toshio Kitamura.				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
1. <input type="checkbox"/>	This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.			
2. <input checked="" type="checkbox"/>	This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.			
3. <input type="checkbox"/>	This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).			
4. <input type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19 <sup>th</sup> month from the earliest claimed priority date.			
5. <input type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been transmitted by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)			
6. <input type="checkbox"/>	A copy of the International Application into English (35 U.S.C. 371(c)(2)).			
7. <input type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been transmitted by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made.			
8. <input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9. <input checked="" type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).			
10. <input type="checkbox"/>	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
11. <input type="checkbox"/>	Applicant claims small entity status under 37 CFR 1.27.			
Items 12. to 17. below concern other document(s) or information included:				
12. <input checked="" type="checkbox"/>	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
13. <input type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
14. <input type="checkbox"/>	A FIRST preliminary amendment. <input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.			
15. <input type="checkbox"/>	A substitute specification.			
16. <input type="checkbox"/>	A change of power of attorney and/or address letter.			
17. <input checked="" type="checkbox"/>	Other items or information: <u>Statement to Support Filing and Submission in Accordance with 37 C.F.R. § 1.821-1.825; Substitute Sequence Listing (9 sheets); disk containing same</u>			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50 09/763,175		INTERNATIONAL APPLICATION NO. PCT/JP99/04450			ATTORNEY'S DOCKET NUMBER 084335/0129	
18. <input checked="" type="checkbox"/> The following fees are submitted:					CALCULATIONS	PTO USE ONLY
Basic National Fee (37 CFR 1.492(a)(1)-(5): Search Report has been prepared by the EPO or JPO.....\$860.00						
International preliminary examination fee paid to USPTO (37 CFR 1.482).....\$690.00						
No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$710.00						
Neither international preliminary examination fee (37 CFR 1.482) nor International search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$1,000.00						
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$100.00						
ENTER APPROPRIATE BASIC FEE AMOUNT =					\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 Months from the earliest claimed priority date (37 CFR 1.492(e))					\$130.00	
Claims	Number Filed	Included in Basic Fee	Extra Claims	Rate		
Total Claims	11	-	20	= 0	x \$18.00	\$0.00
Independent Claims	4	-	3	= 1	x \$80.00	\$0.00
Multiple dependent claim(s) (if applicable)					\$270.00	
TOTAL OF ABOVE CALCULATIONS =					\$130.00	
Reduction by ½ for filing by small entity, if applicable.					\$0.00	
SUBTOTAL =					\$130.00	
Processing fee of \$130.00 for furnishing English translation later the 20 months from the earliest claimed priority date (37 CFR 1.492(f)).					+ \$130.00	
TOTAL NATIONAL FEE =					\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					+ \$40.00	
TOTAL FEES ENCLOSED =					\$170.00	
				Amount to be: refunded \$		
				charged \$		
a. <input checked="" type="checkbox"/>	A check in the amount of \$170.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/>	Please charge my Deposit Account No. <u>19-0741</u> in the amount of \$0.00 to the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-0741</u> . A duplicate copy of this sheet is enclosed.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO:						
Foley & Lardner 3000 K Street, N.W., Suite 500 Washington, D.C. 20007-5109			SIGNATURE  NAME STEPHEN B. MAEBIUS			
REGISTRATION NUMBER 35,264						